

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

UNITED STATES OF AMERICA	§	
	§	No. 9:21CR27-4
v.	§	
	§	Judge Crone
JOHNATHAN TILLERY a/k/a	§	
“JONATHAN TILLERY”	§	
a/k/a “JOHNATHON TILLERY”	§	

ELEMENTS OF THE OFFENSE

You are charged in Count One of the indictment with a violation of Title 21, United States Code, Section 846, conspiracy to distribute and possess with the intent to distribute a controlled substance. The essential elements which must be proven to establish the violation are:

1. That two or more persons, directly or indirectly, reached an agreement to possess with intent to distribute 50 grams or more of methamphetamine (actual);
2. That you knew of the unlawful purpose of the agreement;
3. That you joined in the agreement willfully, that is, with the intent to further its unlawful purpose;
4. That the overall scope of the conspiracy involved at least 50 grams or more of methamphetamine (actual), a Schedule II controlled substance; and
5. That you knew or reasonably should have known that the scope of the conspiracy involved at least 50 grams or more of methamphetamine (actual), a Schedule II controlled substance.

You are charged in Count Four of the indictment with a violation of Title 18, United States Code, Section 924(c)(1), carry and use a firearm during and in relation to a drug trafficking crime. The essential elements which must be proven to establish the violation are:

1. That you committed the crime alleged in Count Two, a drug trafficking crime; and
2. That you knowingly used or carried a firearm during and in relation to your commission of the crime charged in Count Two.

Respectfully submitted,

BRIT FEATHERSTON
UNITED STATES ATTORNEY

/s/ Donald S. Carter
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was delivered by electronic delivery to defendant's attorney John Peralta, on the 7th day of February 2022.

/s/ Donald S. Carter
DONALD S. CARTER